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7

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN JOSE DIVISION**

11  
12 RAMONA RIVERA, on behalf of  
13 herself and others similarly situated,

14 Plaintiffs,

15 v.

16 SCHERING CORPORATION; and  
DOES 1 to 50, Inclusive,

17 Defendants.  
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Case No. **5:07-cv-05550-JW (rs)**

**PROOF OF SERVICE**

**(DIVERSITY JURISDICTION –  
CLASS ACTION FAIRNESS ACT)**

**The Honorable James Ware**

**PROOF OF SERVICE**

I, Janice Austgen, declare:

I am employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 350 South Grand Avenue, 25th Floor, Los Angeles, California 90071-1503. On November 7, 2007, I served a copy of the within document(s):

- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.
- ☒ by placing the document(s) listed above in a sealed UPS envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a UPS agent for delivery.

Joseph & Herzfeld LLP  
Charles Joseph, Esq.  
757 Third Avenue, 25th Floor  
New York, NY 10017

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on November 7, 2007, at Los Angeles, California.

  
Janice Austgen